

Page 2  
Serial No. 10/813,345  
Response to Official Action

**In the Drawings**

Please amend the drawings as shown in the replacement sheet enclosed hereto.  
In particular, a new drawing of Fig. 4a is added in the application.

**Remarks**

By the foregoing Amendment, claims 1, 2-5, 10-11, and 14 are amended, and new claims 15-17 are added. No new matter is added by this Amendment. Entry of the Amendment, and favorable consideration thereof, is earnestly requested.

The Examiner has objected to the drawings as failing to show every feature of the invention specified in the claims. In particular, the Examiner has stated that the subject matter of claims 4 and 5-11 must be shown or the features cancelled from the claims.

Applicant respectfully submits that this objection of the Examiner cannot be understood by Applicant without having specified reasons in that what features are not shown in the drawings as originally filed. Applicant also submits that the original drawings in the application show every feature of the invention specified in claims 4 and 5-11 to the extent understood by a person of ordinary skill in the art. For example, according to claim 5, the clamping part comprises an outer surface that ends towards the flat grinding surface in a partially circular arc (as in amended claim 5), when the working part is clamped between the holding section and the clamping parts. This partially circular arc is shown in Fig. 2 and designated with numeral 48.

However, in order to further facilitate and clarify the feature specified in claim 4, a new drawing of Fig. 4a is added by the foregoing Amendment, that shows a new clamping element 22b having an angle  $\alpha$  that is different from the angle of clamping element 22a shown in Fig. 4. Because the application as originally filed supports the description of this feature, no new matter is added by this amendment.

Accordingly, Applicant believes that claims 4 and 5-11 as amended show every feature of the invention specified in the claims.

The Examiner has rejected claims 10 and 11 under 35 U.S.C. § 112, first paragraph as failing to comply with the enablement requirement. The Examiner has further stated that the limitation to “D126” in the claims cannot be understood what this designates, or what system of grit grading is being used. The Examiner has further objected to the specification for informalities in that the disclosure describes the coarseness of the abrasive as “D126”.

In the original application, this term “D126” was used as an abbreviation for “diamond grit 126”. However, by the foregoing Amendment, the terms “D126” in the claims, along with that in the specification, have been changed to --diamond grit 126-- in order to further clarify the meaning of the abbreviation “D126”. This term is well known and readily understood by a person of ordinary skill in the relevant art. Accordingly, claims 10 and 11, and the specification are now in the form satisfying the above stated enablement requirement and overcoming the informalities objection.

The Examiner has rejected claims 1-3 and 5-14 under 35 U.S.C. §102(b) as anticipated by or, in the alternative, under §103(a) as obvious over Pollak (US Pat. Appl. Publication 2002/0069727 A1) in view of De Angelis et al. (US Pat. No. 2,949,709).

As independent claims 1 and 14 as amended specifically recites, each of claims 1-3 and 5-14 requires, among other limitations, that the drive shaft is driven oscillatingly back and forth about a longitudinal axis thereof, and that the predetermined angle between the surface of the workpiece and the grinding surface is between 10° and 40°.

Pollak (US 2002/0069727 A1) discloses a holder for mounting a tool to a drive shaft. As discussed above, claims 1-3 and 5-14 of the invention further requires that the predetermined angle between the surface of the workpiece and the grinding surface is between 10° and 40°. Thus, Pollak cannot be used as a grinding tool to achieve a grinding of the workpiece, since there is no provision on the tool disclosed by Pollak to design the clamping part in a particular way to define a predetermined angle of 10° to

40° between the surface of the workpiece and a grinding surface of a working part, when guiding a grinding tool along a surface of the workpiece for sharpening.

On the other hand, De Angelis et al. (US Pat. No. 2,949,709) discloses a grinding tool that is driven rotatingly about its longitudinal axis and comprises guide surfaces 56 allowing to position a workpiece on top of the knife sharpener attachment for a grinding. However, the key of the current invention is to provide a new grinding device that can be driven oscillatingly back and forth about its longitudinal axis, by contrast to the grinding device disclosed by De Angelis et al.

Therefore Pollak and De Angelis et al., alone or in combination with one another, fail to disclose or teach each and every element of the invention as claimed in claims 1-3 and 5-14. For example, the above-specified elements of the claims are not disclosed or taught by Pollak and De Angelis et al.

Moreover, a person skilled in the art trying to combine the teachings of Pollak and De Angelis et al. would not be able to easily design the grinding tool according to claim 1 or the holder according to claim 14, since the function of the grinding tool according to the invention is completely different from De Angelis et al. De Angelis et al. provides a surface 56 against which a workpiece to be sharpened can be held and then ground by the honing zone 38 which is rotated about its axis.

By contrast, according to the current invention, the grinding tool carries a grinding surface which extends from the holder to the outside protruding beyond the holder. Thus, the grinding tool allows to freely guide the grinding tool along a surface of a workpiece, such as a knife, an axe, or the like.

Accordingly, Applicant respectfully submits that claims 1-3 and 5-14 as amended are patentably distinct over the cited references. Applicant further submits that new

claims 15-17 each includes this different geometric arrangement as discussed, and are also patentable over the references.

Applicant respectfully acknowledges indication of allowance of claim 4, if rewritten in independent form including all of the limitations of the base claim (i.e., claim 1). Claim 4 has been amended by the foregoing Amendment as per the Examiner's suggestion.

Accordingly, in view of the forgoing, Applicant respectfully submits that all pending claims (i.e., claims 1-17) as amended are in condition for allowance. Early notice to that effect is respectfully requested.

Respectfully submitted,

Wesley W. Whitmyer, Jr., Registration No. 33,558  
Hyun Jong Park, Limited Recognition  
Attorneys for Applicant  
ST.ONGE STEWARD JOHNSTON & REENS LLC  
986 Bedford Street  
Stamford, CT 06905-5619  
203 324-6155